

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

BRIAN ANTHONY HANNAH]
Plaintiff,]
]]
v.] No. 1:14-0015
] CHIEF JUDGE HAYNES
22nd JUDICIAL DISTRICT]
ATTORNEY'S OFFICE]
Defendant.]

M E M O R A N D U M

Plaintiff, Brian Anthony Hannah, an inmate at the Lawrence County Detention Center in Lawrenceburg, Tennessee, filed this pro se action under 42 U.S.C. § 1983 against the Defendant 22nd Judicial District Attorney's Office. Plaintiff seeks damages for an alleged erroneous incarceration.

Plaintiff alleges that the Defendant committed an error which has led to him being wrongfully incarcerated for over five months.

As a matter of law, the Defendant is a state entity, Tenn. Code Ann. § 8-7-101 et seq., and is not a "person" subject to an action under 42 U.S.C. § 1983. Will v. Michigan Dept. of State Police, 491 U.S. 58, 64 (1989), Alabama v. Pugh, 438 U.S. 781, 782 (1978). Moreover, prosecutors enjoy absolute immunity from monetary claims for actions taken within the scope of their prosecutorial duties. Imbler v. Pachtman, 424 U.S. 409, 430 (1976).

Plaintiff's allegations do not suggest any acts outside the scope of prosecutions duties. Thus, the Court concludes that Plaintiff has failed to state a claim against the named Defendant under § 1983.

When a prisoner proceeding *in forma pauperis* has failed to state a claim, the Court is obliged to dismiss his complaint *sua sponte*. 28 U.S.C. § 1915(e)(2)(B)(iii).

An appropriate Order is filed herewith.



WILLIAM J. HAYNES, JR.
Chief Judge
United States District Court